

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

WISCONSIN ALUMNI RESEARCH  
FOUNDATION,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 14-cv-00062-WMC

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**WARF'S OFFER OF EVIDENCE REGARDING PLAINTIFF'S TRIAL EXHIBIT NO.  
PX 574**

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**I. INTRODUCTION**

At the Final Pretrial Conference on September 25, 2015, the Court heard argument on Apple's objections to WARF's exhibit PX 574, a printout of a page from WARF's website describing several "Success Stories" of WARF's licensed technologies. Listed among those "Success Stories" are "the computer processor discoveries of . . . Gurindar Sohi," a named inventor on the '752 patent. *See* Exhibit A (relevant portion highlighted for the Court's convenience).

Apple represented to the Court that the reference to Prof. Sohi's work was added to the webpage in July 2014 – several months into the present litigation. *See* Hearing Tr. (Rough) at 127:22-128:9 ("MS. JEFFRIES: And Your Honor, on that point we understand that it was put there July of 2014. THE COURT: So after this lawsuit – MS. JEFFRIES: After this case was filed. THE COURT: If that's true, then it's not coming in."). This is not the case. July 3, 2014 appears to be the date the document was ***printed by Apple from WARF's web site***. PX 574 is a

document that was produced by Apple in this litigation on July 11, 2014, along with 17 other printouts of pages from WARF's website. *See* Exhibit B (e-mail from Apple accompanying document production). Each of the webpage printouts Apple produced has the same July 3, 2014 date stamp at the bottom. *See* Exhibit C (exemplary documents, with date stamps highlighted).

A historical version of the webpage in PX 574, retrieved from the Internet Archive's Wayback Machine, confirms that the exact same statement was on WARF's webpage at least as early as June 8, 2013 – three months before the accused products were announced publicly and over 7 months before WARF filed suit.. *See* Exhibit D (archived version of same webpage from June 8, 2013, with relevant portion highlighted).

Respectfully submitted,

Dated: September 26, 2015

By: /s/ Jennifer L. Gregor

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